



State of New Hampshire
WATER WELL BOARD



Roger B. Skillings, C.W.D. – P.I., *Water Well Contractor*
David R. Hunt, *Water Well Contractor*
Stephen R. Smith, *Pump Installer*
Richard P. Schofield, P.G., *Staff*

Steven Garside, *Technical Driller*
Rene Pelletier, P.G., *Dept. of Environmental Services*
Frederick H. Chormann, Jr., P.G., *State Geologist*
Steve Guercia, *Certified Operator, Public Member*

DRAFT
NH WATER WELL BOARD MINUTES

December 18, 2013

A meeting of the New Hampshire Water Well Board ("Board") was held on December 18, 2013, in the Department of Environmental Services Building in room 112, 29 Hazen Drive, Concord, NH 03301.

Present were: Roger Skillings, Chairman
Brandon Kernen (for Mr. Rene Pelletier, Secretary) – Joined the meeting at 11:15am
Board Members: Stephen Smith, Steve Guercia, Steven Garside, David Hunt, and Frederick Chormann
NH DES Staff: Richard Schofield and Kelsey Vaughn

Chairman Skillings brought the meeting to order at 9:33 AM.

Approval of Minutes

Upon motion by Mr. Hunt and seconded by Mr. Smith, the Board voted to accept the Minutes of the October 24, 2013 meeting, as printed.

Previous Complaints

Rowley / Maple View Development LLC

The Board continued the complaint filed by Mr. James Rowley against Maple View Development LLC. Mr. Schofield made multiple attempts to contact Mr. Rowley, but he was not present at the meeting. The Board discussed the safety of the well and if it should be decommissioned. Mr. Richard Patenaude of Contoocook Artesian Well Co., addressed the Board and stated that the original intent was to build a new well and decommission the old well; however, as they started the project, they decided to let the original well sit for one to two years and then reassess the situation. Mr. Smith asked Mr. Patenaude if the original well posed a hazard, and Mr. Patenaude did not believe so. Mr. Skillings stated that the Board has jurisdiction over licenses, and DES has enforcement authority; therefore, the Board has no authority to further pursue this complaint, but DES could provide follow-up actions if it chooses. Mr. Smith motioned to close the matter, and Mr. Hunt seconded the motion. The Board voted unanimously to close the complaint.

Request for Exemption**Contoocook Artesian Well Co.**

For this request for exemption, Mr. Guercia recused himself and left the table. Mr. Schofield presented the Board with the basic facts about the well, such as the well having several water-bearing fracture zones and testing above the EPA Primary Drinking Water Standard for uranium. Mr. Schofield stated that the original request on December 6, 2013 by Contoocook Artesian Well Co. (hereinafter Contoocook Well) was to decommission the new high yield bedrock well that had been constructed for Penachuck East Utility Inc., in Windham, NH. Contoocook Well requested an exemption of We 604.05(b), pursuant to RSA 482-B:13, which would allow the well to be decommissioned by using NSF filter gravel in the production zone, installing a Bentonite chip plug above the gravel, and grouting the remainder of the well to the surface. Contoocook Well has since changed their approach and would like to seal off the bottom two fractures and continue to use the well from the 8 GPM, 105-foot fracture. Mr. Kernen addressed Mr. Patenaude and Mr. Jeff Coppo of Contoocook Well and explained that DES and USGS have sampled discrete fractures in select bedrock wells and have published methods on that testing. Mr. Coppo confirmed that they intend to grout to 105 feet. Because Contoocook Well no longer wishes to decommission the well and the Board did not state any problems, Mr. Skillings closed the matter.

Licensing**Continuing Education Committee**

Mr. Guercia and Mr. Garside had met with Terry Swain since the last Board meeting and reported to the Board what was discussed. They had discussed if well drillers should be required to earn continuing education credits for their license renewal but will present the Board with more specific information at a later meeting. The Board discussed if there should be a two-year cycle for pump installer continuing education requirements and if the number of required hours should be increased. The Board discussed if the types of training or topics should be specified and if someone with greater than five years' experience can be allowed to teach classes. Mr. Schofield stated that if the Board wanted to increase the number of hours required, that the law would have to be changed. He also stated that if the Board wanted to change the cycle, it would require a statutory change. The Board discussed the geographical limitations of current training and the need to increase available training throughout the state. The Board agreed to continue to formalize the recertification requirements and table the discussion until the next meeting.

License Applicants

The Board considered an application from Stacy Caswell for a pump installer license. Mr. Hunt motioned to accept Mr. Caswell's application and Mr. Guercia seconded the motion. The Board voted unanimously to approve the application.

Administrative Rules**Chapter 300**

The Board considered proposed changes to Chapter We 300 that were prepared by Mr. Schofield. The Board discussed We 301 and the experience and knowledge required for a "master well driller." The Board discussed licensing for technical well drillers, drinking water well drillers, and pump installers. The Board discussed licensing of individuals and businesses. The Board considered a version of Chapter 300 that was prepared by Mr. Schofield that did not include business licenses. However, based on the statutory definition of a "person", the Board

decided that this drafted version excluding business license language was not applicable. The Board discussed proposed rule We 301.03(a) and whether it was necessary. The Board discussed testing requirements, specifically in relation to types of tests and testing locations.

Upon Mr. Skillings' suggestion, a committee was formed to consider rule changes. This committee will be comprised of Mr. Skillings, Mr. Hunt, Mr. Garside, Mr. Guercia, and Mr. Schofield, DES staff, and will meet before the next Board meeting.

Mr. Schofield presented the Board with a drafted license fee analysis based on a flat fee for the master and journeyman license as well as a drafted license fee analysis based on the number of vehicles in a fleet. Mr. Schofield also presented the Board with the current figures for the budget. The Board agreed that the rules committee would consider these fees and report their recommendations to the Board.

Electronic Reporting

Mr. Schofield presented the Board with an update on the Well Drill Completion Database. Mr. Schofield read from the Uniform Electronic Transactions Act concerning electronic signatures for data providers. For the well completion report submission procedure, Mr. Schofield read the proposed changes to We 801.03. The Board discussed making electronic reporting mandatory in the new rules, and discussed how to handle situations where people cannot submit documents electronically. Mr. Garside stated that he would like the submission of decommissioning reports to be available electronically as well.

Old Business

Property Line Setbacks

The Board considered a draft version of Property Line Setback rules that were written by Mr. Schofield. The draft rules were rejected. The Board discussed if special methods of well construction changes the conforming status of a well. The Board discussed eliminating the Non-conforming/Setback Reduction Form and establishing construction requirements that would utilize the Pythagorean Theorem, incorporating extra casing, and grouting for the well. Mr. Pelletier recommended that the Board members talk to the DES Subsurface Systems Bureau, and the Board agreed that the discussion should be continued during the rules committee meetings.

New Business

2014 Meeting/Exam Dates

There will be five scheduled Board meetings during 2014. Exam dates will be scheduled based on the Board meeting dates.

Town Well Construction Requirements

The original town well construction requirements booklet was written in 1997. Mr. Schofield suggested it was time to update the document. Mr. Pelletier suggested having the NH Water Well Association update the booklet, and the Board agreed. Upon further discussion it was agreed that most towns with well permits and setback requirements have this information posted on their webpage. This information should readily be available for well contractors.

Other

There is only one copy of the New Hampshire Water Well Board Code of Administrative Rules Chapter We100-We1000 left to disseminate. The Board agreed to wait to order more rule books until after the rule revisions have been finalized. The rules are available on the DES website.

Upon motion by Mr. Garside, and seconded by Mr. Pelletier, the Board voted to adjourn the meeting.

Rene Pelletier
Water Well Board Secretary